GENERAL DATA PROTECTION REGULATIONS (GDPR) POLICY

POLICY	PROCEDURE	REFERENCE	FORMS
SSPo64 Publication Scheme Policy	SSPr16 GDPR Personal Data Breach Procedure	Data Protection Act 2018	SSF47 GDPR Breach Summary Report
SQPo9 Data Retention Policy		SSR121 GDPR Poster Staff Room	SSF46 GDPR Review
SAPo5 Freedom of Information Policy		SSR120 GDPR Poster School office	SSF49 GDPR Breach/Incident Report
SSPo1 Complaints and Concerns Policy			
SSPo2 Child Protection and Safeguarding Children Policy and Procedure			

Langley Hall Arts Academy is registered with the ICO and the registration number is ZB354346

1. DEFINITIONS

- Personal Data – Info that can identify a person directly or indirectly (this includes photographs)
- Processing – Anything we do with data – including just looking at it
- Special Category Data – includes but is not limited to information regarding, race, health, genetic, political and religious views, sexual orientation etc.

2. THE COMMITTEE IS:

- School Principal - Mr Claudio Di Meo
- Education Consultant - Mrs Sally Eaton
- Data Protection Officer – Ms Christina Beadle

3. THE DATA WE KEEP

- Personal information on members of staff – source – application form
- Financial details for members of staff – bank details, payments made – source – application pack and payroll system
- Basic information regarding parents and guardians, including national insurance number, e mail address and phone number – source – application form
- Information regarding the children in our care, including names, guardians, next of kin, age, sex, dietary restrictions, medical information, developmental stages and abilities
- Photographs of children
- The retention period for the information is 7 years, for both customers and employees

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- The data is kept on the school management information system, linked systems which are approved and compliant and in the computers of the organisation management. Paper copies are held in locked filing cabinets. No data is held in any other location.

4. LAWFUL BASIS FOR KEEPING DATA

- The lawful basis for keeping data on individuals, both parents / guardians and children is in order to provide care and education services for the individuals in question
- The lawful basis for keeping information on employees or ex-employees is in order to pay them correctly and comply with all relevant employment law

5. PRIVACY POLICY

- Only Proprietors, the Principal, HR Manager and the School Administrator have access to any personal and financial information on members of staff
- Personnel files are kept in a locked filing cabinet in a locked office that only our HR Manager and the School Administrator have access to
- Information on employees is kept in a secure place for 7 years after employment ends. This can take the form of paper in a locked drawer which is stored in a locked archive area and electronic information in a password protected system.
- Information on parents / guardians is held on the office computers and accessed by approved users only. These computers are password protected.
- Information regarding children is necessarily available to all members of staff who have care responsibilities for the children. Medical information is displayed on the walls of the classrooms for easy access by carers. This is considered vital for the safety of the children concerned.

6. CONSENT

- It is accepted that parents / guardians have given consent by completing the forms associated with application and registration, and employees have given consent by completing an application form. The lawful basis for keeping the information stems from the fact that the clients and employees have completed the forms and provided us with the information.
- However, whilst it is recognised that the information we hold on customers and employees is freely given and therefore that consent is implied, we must gain specific consent
- Both employees, ex-employees and parents / guardians have the right to complain directly to the Information Commissioners Office (ICO) if they have any concerns

7. PHOTOGRAPHS

- Photographs of children are obtained and kept for three reasons, firstly to identify children for whom dietary restrictions apply or who have medical conditions, secondly for displays around the school that inform parents and guardians of activities the children have been involved with and lastly, for promotion purposes
- It is considered lawful, prudent and reasonable for the photographs to be stored and used as long as the parents / guardians have given consent and that they have been informed why the photographs have been taken
- Consent to use images can be withdrawn by notifying the school in writing at any time and this will be duly noted, filed and adhered to
- We will obtain written consent from parents/carers, or pupils aged 18 and over, for photographs and videos to be taken of pupils for communication, marketing and promotional materials.
- Where we need parental consent, we will clearly explain how the photograph and/or video will be used to both the parent/carer and the pupil. Where we don't need parental consent, we will clearly explain to the pupil how the photograph and/or video will be used.
- Any photographs and videos taken by parents/carers at school events for their own personal use are not covered by data protection legislation. However, we will ask that

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photos or videos with other pupils are not shared publicly on social media for safeguarding reasons, unless all the relevant parents/carers (or pupils where appropriate) have agreed to this.

8. ARTIFICIAL INTELLIGENCE (AI)

- Artificial intelligence (AI) tools are now widespread and easy to access. Staff, pupils and parents/carers may be familiar with generative chatbots such as ChatGPT and Google Bard. Langley Hall recognises that AI has many uses to help pupils learn, but also poses risks to sensitive and personal data.
- To ensure that personal and sensitive data remains secure, no one will be permitted to enter such data into unauthorised generative AI tools or chatbots.
- If personal and/or sensitive data is entered into an unauthorised generative AI tool, Langley Hall will treat this as a data breach and will follow the personal data breach procedure outlined in this policy.

9. DATA BREACHES

- If any data breaches are discovered that are likely to result in a risk to individual's rights and freedoms, then the ICO and the individual concerned will be notified immediately
- An ongoing record will be kept of any data breaches and the rectifying action taken. This will include an impact assessment and a discussion regarding compensation if appropriate.

10. RISK

- When considering the obtaining and storage of information the company will have due regard to the impact or consequences of a data breach on an individual (the principle of proportionality is embedded in the EU directive)

11. ACCESS

- If we receive any request from individuals or organisations regarding information we hold on them or their organisation, full disclosure will be provided to them in line with statutory regulations
- Any changes to the data requested by an employee, ex-employee or parent / guardian will be considered and any necessary rectifications made in line with statutory regulations
- If a request is refused the school will provide full reasons, and the individual will have the right to pursue the matter with the ICO

12. CHILDREN AND SUBJECT ACCESS REQUESTS

- Personal data about a pupil belongs to that pupil, and not the pupil's parents or carers. For a parent or carer to make a subject access request with respect to their child, the child must either be unable to understand their rights and the implications of a subject access request, or have given their consent.
- Children below the age of 12 are generally not regarded to be mature enough to understand their rights and the implications of a subject access request. Therefore, most subject access requests from parents or carers of pupils at our school may be granted without the express permission of the pupil. This is not a rule and a pupil's ability to understand their rights will always be judged on a case-by-case basis.
- Children aged 12 and above are generally regarded to be mature enough to understand their rights and the implications of a subject access request. Therefore, most subject access requests from parents or carers of pupils at our school may not be granted without the express permission of the pupil. This is not a rule and a pupil's ability to understand their rights will always be judged on a case-by-case basis.

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13. COMMUNICATION AND TRAINING

- Langley Hall Arts Academy recognise the importance of ensuring that all members of staff are aware of the obligations of the company with regard to the GDPR. This policy document has been made available to all staff.

14. DISPOSAL OF RECORDS

- Personal data that is no longer needed will be disposed of securely. Personal data that has become inaccurate or out of date will also be disposed of securely, where we cannot or do not need to rectify or update it.
- For example, we will shred or incinerate paper-based records and overwrite or delete electronic files. We may also use a third party to safely dispose of records on the school's behalf. If we do so, we will require the third party to provide sufficient guarantees that it complies with data protection law.

15. REVIEW AND MONITORING

- This document and the whole data protection performance of the company will be reviewed annually by the personnel name.
- The DPO is responsible for monitoring and reviewing this policy.
- This policy will be reviewed annually

16. ACTIONS FOLLOWING REVIEW

- Following each review there will be an action plan if required.

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